

EARNED TIME DONATION POLICY:

SECTION I. PURPOSE:

Occasionally, employees are faced with unexpected, catastrophic medical situations which prevent them from continuing to perform their job functions and who have no earned time or pool time to supplement the disability pay they may be collecting. This situation puts the employee in a difficult financial situation and may prevent them from meeting the basic needs of themselves and their families. In order to assist employees who face such a situation the Town, through its Board of Selectmen, has established the following policy whereby other full time town employees may voluntarily donate a portion of their own accrued earned time to help other full time town employees meet their needs during periods of long term illnesses or disabilities.

SECTION II: DEFINITIONS:

Donated Time: Includes both earn time and pool time which is donated by one fulltime employee to either another fulltime employee or the Town's central earned time pool in accordance with the provisions of this policy.

SECTION III. DONATING EMPLOYEES:

Any fulltime employee is eligible to voluntarily donate one or more hours of their accumulated earn time to another fulltime employee who has used up all his or her accumulated leave time including, but not limited to, earn time, pool time, and compensatory time due to a long term illness; subject to the following conditions:

1. Earn time may be donated in increments of one hour.
2. Hours of Pool Time may also be donated provided both the following conditions are met:
 - a. An employee may donate one (1) hour of pool time for every one (1) hour of earn time donated. Each hour of pool time donated becomes an hour of earn time to the recipient employee, and
 - b. For every one (1) hour of pool time donated, the donating employee's accrued pool time balance shall be reduced by three (3) hours.
 - c. Notwithstanding section "a" above, an employee who has, subsequent to their initial conversion to earn time, voluntarily converted earn time hours to their individual pool time accounts may withdraw from their pool time all or a portion of those hours at a reverse 3 to 1 ratio for donation to an individual or to the central pool.

Individual pool time hours that were mandated at the time of the original conversion to the earn time program are only eligible to be donated in accordance with section 2a and b.

3. The donating employee must maintain a minimum of forty hours of earn time available to themselves after any donation. Donations or portions of donations will be disallowed should the donating employee's earn time balance fall below forty (40) hours.
4. Any time (earn or pool) donated by an employee shall transfer to their chosen recipient's earn time balance or the central earn time pool and shall permanently be removed from the donating employee's accrued balances.
5. Any earn time hours donated shall not count towards the minimum use requirements outlined in the Town's Personnel Policy or any applicable Collective Bargaining Agreements.
6. The donating employee shall use the "Donation of Earned Time" form which can be attained by contacting the Human Resource Coordinator. How donations are directed and to whom shall remain confidential.
7. Donation of time from one employee to another may occur at any time during the year. Donations of time to the central earn time pool may occur annually during the month of July.

SECTION IV. RECEIVING EMPLOYEES:

1. Donated hours may only be used for the recipient employee's own medical reasons which last for more than two weeks in duration. Hours cannot be used for illnesses of other family members, brief or routine absences, or for personal business. Hours may be used to cover complications of pregnancy but not for Maternity/Paternity leave.
2. Donated hours cannot be used for illnesses or injuries which are covered by Worker's Compensation or for which Worker's Compensation benefits have been exhausted.
3. An employee may use hours which had been donated directly to their leave balances only after they have exhausted all of their other available leave time balances, including but not limited to earn time, pool time, and compensatory time.
4. Should an employee wish to use hours donated to the town established central earn time leave pool, which is made available to all employees, they must first use all their accumulated leave time balances, including but not limited to earn time, pool time, and compensatory time. In addition, the number of pool hours used must be at least 100 hours. The intent of this additional requirement is to encourage employees to set aside their own pool time to protect them should they experience a long term illness. The intent of the central sick leave pool is to provide an additional level of security beyond an individual's own pool time account.
5. In order to use any donated time an employee must present a doctor's certification of the employee's illness and the expected date of return to work. All such certifications shall be deemed strictly confidential and maintained in the employee's medical files.

6. The receiving employee must file for the town provided disability insurance prior to use of any donated time.
7. The receiving employee must request the use of donated hours by filing out the appropriate form from the Human Resource Coordinator.
8. The receiving employee will not accumulate additional earn time on the use of any donated time.
9. The receiving employee may not convert donated time they receive into pool time other than when they return to work in accordance with Section IV:10.
10. Any donated time remaining in a recipients account after they have returned to work following their illness or injury shall automatically convert to the recipient's pool time account on a three for one basis and remain available for future use in accordance with the applicable earn time policy which covers the receiving employee.
11. In the event that an employee cannot return to work due to their disability the leave time remaining shall be paid out in accordance with the applicable earn time policy provisions under which the employee's position is covered, including any maximum payment restrictions.

SECTION V. GENERAL PROVISIONS:

1. Hours donated to a specific individual or to a Central Earn Time Donation Pool do not have any monetary value until used by a recipient employee and are deposited as "hours" only.
2. Donated time shall be paid out at the receiving employee's hourly rate of pay.
3. Employees are not required to have contributed any hours to others or to a central donated earn time pool in order to use donated hours themselves.
4. This policy shall be considered separate from both the Town's Personnel Policy and all Collective Bargaining Agreements between the Town and its employees and its implementation shall not be subject to any grievance provisions of either town policy or union contract. By their authorized representatives signatures at the end of this policy each Union who represents employees of the Town of Windham acknowledges and understand the intent of this program and that the donation of any earn time hours is completely a voluntary act of the employees involved and is authorized by the respective Unions. Employees represented by a Union will not be eligible to participate until an acknowledgement signature has been attained from their respective Union representative.

SECTION VI. CENTRAL EARN TIME DONATION POOL:

1. Along with the ability of employees to donate time to specific employees there shall be established a central earn time leave pool, the hours donated to which will be made available to eligible employees in accordance with the provisions of this policy.

2. The central earn time pool shall be administered by the Town Administrator and Human Resource Coordinator.
3. The hours donated to the “central pool” do not belong to any particular employee once deposited in the pool and any balances remaining after each individually approved use shall remain in the pool for use by eligible employees in the future.
4. Employees using the central earn time pool shall be allowed to use up to three hundred and sixty five (365) hours time from the central pool per long term illness per calendar year.
5. Should the central leave pool have zero hours remaining no request for use of the pool will be approved. For clarification purpose there is allowance to have “advances” made in anticipation of hours being added in the future.

SECTION VII. SPECIAL EXCEPTION RULE FOR SERIOUSLY ILL FAMILY MEMBERS:

1. In addition to the allowed usages provided for in Section IV, a receiving employee, who is acting as the caretaker of an immediate family member as defined in Article XVI of the Town’s Personnel Policy, may use donated hours to care for such an individual provided the individual’s medical reasons are serious in nature and have lasted for more than two weeks in duration.
2. In the event that an immediate family member passes away an employee who was either serving as caretaker or was an immediate family member shall be allowed to use any donated earned time for a period of up to but not exceeding 30 calendar days beyond the date of the immediate family member’s passing.
3. For purposes of this Section, the term “serious in nature” shall mean an illness that is either life threatening to the immediate family member or is of such a debilitating nature that it causes the person to no longer be able to care for themselves without a permanent caretaker available throughout the day.

SECTION VIII. AMENDMENTS:

An amendment to this Policy may be moved at a Board meeting, but shall not be voted upon until the next regularly scheduled meeting, not less than seven (7) days later.

SECTION IX. EFFECTIVE DATE:

This Policy shall take effect immediately following a majority vote of the Board of Selectmen at a regularly scheduled Selectmen’s meeting.

Adopted By Board of Selectmen – June 4, 2007

Amended – Section IV:9 – June 25, 2007

Amended – Added new Section VII Special Exception and re#’d bal. – Feb 1, 2016

**Alan Carpenter
Dennis Senibaldi
Roger Hohenberger**

Margaret Crisler
Bruce Breton
Board of Selectmen

Acknowledgement by Union Representatives:	
Police Union _____	Date _____
Fire Union _____	Date _____
Municipal Union _____	Date _____